

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

US SMALL BUSINESS ADMIN,

Plaintiff,

No. C 10-04425 JSW

v.

ROCKET VENTURES II, *et al.*

Defendants.

**ORDER REQUESTING
DOCUMENTS REGARDING
MOTION TO DISMISS**

The motion to dismiss brought by Defendants Jean-Claude Guez, Michele Liberato, Yves Derville, Philippe Gire, Michel Roujanksy, Michel Saunier, and Patrice Vinet (the “French and Italian Defendants”) is scheduled to be heard on November 16, 2012. The Court finds this matter is suitable for disposition without oral argument. *See* N.D. Cal. Civ. L.R. 7-1(b). Accordingly, the hearing set for November 16, 2012 is VACATED.

In its opposition to the motion to dismiss, United States Small Business Administration (“SBA”), in its capacity as Receiver for Rocket Ventures II SBIC, L.P. (“Plaintiff”) argues that each of the French and Italian Defendants executed appointments of agents for service of process. However, Plaintiff only submitted executed documents for six out of the seven French and Italian Defendants. (*See* Declaration of Richard Moser, ¶¶ 6-11, Exs. C-H.) The Court HEREBY DIRECTS Plaintiff to file a supplemental declaration with the executed appointment for service of process by Defendant Michelle Liberato by no later than November 15, 2012. If Plaintiff is unable to locate a copy of this document, Plaintiff shall provide a supplemental brief

1 by no later than November 15, 2012 to explain on what basis Plaintiff contends service on
2 Defendant Michelle Liberato was proper.

3 **IT IS SO ORDERED.**

4
5 Dated: November 13, 2012


6 JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE